

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**TONYA HOWARD and EBONY  
JOHNSON, Each Individually and on  
Behalf of All Others Similarly Situated**

**PLAINTIFFS**

vs.

No. 1:22-cv-2817-MSS

**TATE LEGACY INCORPORATED  
and DARLENE TATE**

**DEFENDANTS**

**JOINT STATUS REPORT**

Plaintiffs Tonya Howard and Ebony Johnson (“Plaintiffs”), and Defendants Tate Legacy Incorporated and Darlene Tate, (“Defendants”), by and through their undersigned counsel, submit the following Joint Status Report:

1. Pursuant to the Minute Order on April 13, 2023 (ECF No. 27), the parties are filing a joint status report.
2. On January 12, 2023, this Court granted Plaintiffs’ Unopposed Motion for Conditional Certification. See ECF No. 25. Plaintiff Tonya Howard originally estimated that there were approximately 30 plus individuals within this putative class. See ECF No. 15-6.
3. Plaintiffs received an original class list from Defendants on January 30, 2023, in which only one individual was listed other than the named Plaintiffs themselves. After expressing concern that this was not a complete class list, Plaintiffs then received an updated class list on February 1, 2023, that included only two additional individuals.
4. Plaintiffs’ counsel sent out an initial notice for the single individual from the

original class list on January 30 and sent out the initial notice for the two additional individuals from the updated class list on February 1.

5. It is Plaintiffs' position that the putative class is larger than 5 individuals while it is Defendants' position that they have provided a complete list.

6. However, based on the initial notice dates, and pursuant to the Court's January 12, 2023 Order (ECF No. 25), the opt-in period closed on May 2, 2023.

7. No opt-ins have joined the case, and this case will proceed with Tonya Howard and Ebony Johnson as the only Plaintiffs.

8. Now that the opt-in period has closed, the Parties are renewing their efforts in trying to resolve this case. The Parties intend to request a referral to a magistrate judge settlement conference.

9. The Parties are optimistic that they may be able to resolve this case without the need for additional discovery and incurring additional expenses related to litigation.

10. The Parties originally believed they might need an additional 90 days after the close of the opt-in period in which to finish discovery in this case not only on the opt-ins but on the named Plaintiffs as well. See ECF No. 23. However, with the case proceeding only with the named Plaintiffs, the Parties believe that an additional 60 days in which to finish discovery in this case should be sufficient.

11. The Parties would propose that discovery close 60 days after the Parties have participated in a magistrate judge settlement conference.

Respectfully submitted,

**TONYA HOWARD and EBONY  
JOHNSON, Each Individually  
and on Behalf of All Others  
Similarly Situated, PLAINTIFFS**

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